

IN THE MARION CIRCUIT COURT

AVC NO. 01-041

IN RE: FORECLOSURE RELIEF  
SERVICES NATIONAL, INC.,  
Respondent.

**FILE**

JUN 22 2001

*Jack M.*  
CLERK OF THE  
MARION CIRCUIT C

## ASSURANCE OF VOLUNTARY COMPLIANCE

The State of Indiana, by Attorney General Steve Carter and Deputy Attorney General David A. Paetzmann, and the Respondents, Foreclosure Relief Services National, Inc., enter into an Assurance of Voluntary Compliance (“Assurance”) pursuant to Indiana Code § 24-5-0.5-7.

Any violation of the terms of this Assurance constitutes prima facie evidence of a deceptive act. This Assurance is entered into without any adjudication of any issue of fact or law, and upon consent of the parties.

The parties agree:

1. Respondent, Foreclosure Relief Services National, Inc., is an Indiana corporation engaged in business as a credit services organization as defined by the Credit Services Organizations Act, Indiana Code § 24-5-15-1 *et seq.*, with a principal place of business located at 7201 Edgewater Place, Indianapolis, Indiana 46240.
2. The terms of this Assurance apply to and are binding upon Respondent, its principals, officers, directors, employees, agents, representatives, successors, and assigns.
3. Respondent acknowledges the jurisdiction of the Consumer Protection Division of the Indiana Attorney General's Office to investigate matters hereinafter

described, pursuant to the authority of Ind. Code § 4-6-9-4 and Ind. Code § 24-5-0.5-1 *et seq.*

4. Respondent, in soliciting and/or transacting business as a credit services organization with Indiana residents, shall comply with the provisions of Indiana's Deceptive Consumer Sales Act, Ind. Code § 24-5-0.5-1 *et seq.*, and Indiana's Credit Services Organizations Act, Ind. Code § 24-5-15-1 *et seq.*

5. Respondent shall not solicit or transact business as a credit services organization in Indiana until it has obtained a surety bond in the amount of ten thousand dollars (\$10,000.00) in favor of the State of Indiana as required by Ind. Code § 24-5-15-

8. Respondent agrees to provide a copy of his surety bond to the Consumer Protection Division of the Indiana Attorney General's Office prior to soliciting or transacting any business as a credit services organization in Indiana.

6. Respondent, when transacting business as a credit services organization with Indiana consumers, shall not execute a contract or agreement or receive money or other valuable consideration without first providing each consumer with a written statement containing the disclosures required by Ind. Code § 24-5-15-6.

7. Respondent shall not enter into a contract to provide services as a credit services organization with Indiana consumers unless such contract is in writing, is dated and signed by both the consumer and Respondent, and includes the terms required by Ind. Code § 24-5-15-7.

8. Respondent shall pay full restitution to any consumer filing a complaint with the Consumer Protection Division of the Indiana Attorney General's Office in the future, if such complaint arises from a credit services organization contract between a

consumer and Respondent solicited or entered into during a time period when Respondent's activities as a credit services organization were not in full compliance with Indiana's Credit Services Organizations Act.

9. Upon execution of this Assurance, Respondent shall pay restitution in the amount of seven hundred dollars (\$700.00) to the Office of the Attorney General for the benefit of Felicia and Rafiu Dania.

10. Upon execution of this Assurance, Respondent shall pay costs in the amount of five hundred dollars (\$500.00) to the Office of the Attorney General.

11. Respondent shall not represent that the Office of the Attorney General approves or endorses Respondent's past or future business practices, or that execution of this Assurance constitutes such approval or endorsement.

12. Respondent shall fully cooperate with the Office of the Attorney General in the investigation and resolution of any future written complaints the Consumer Protection Division receives.

13. The Office of the Attorney General shall file this Assurance in the Circuit Court of Marion County. The Court's approval of this Assurance shall not act as a bar to any private right of action.

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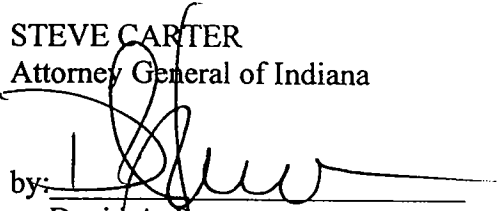
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IN WITNESS WHEREOF, the parties have executed this Assurance this 20th  
day of June, 2001.

STATE OF INDIANA

STEVE CARTER  
Attorney General of Indiana


by:   
David A. Paetzmann  
Deputy Attorney General  
Attorney no. 6392-23  
Office of the Attorney General  
Indiana Government Center South, 5th fl.  
402 W. Washington Street  
Indianapolis, IN 46204

RESPONDENT

FORECLOSURE RELIEF SERVICES  
NATIONAL, INC.

by:   
Patrick J. Kirby, president

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

  
Judge, Marion County Circuit Court